

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NORTHEASTERN DIVISION

UNITED STATES OF AMERICA, *et al.*,
 District Judge
ex rel. DEBRA NORRIS,

V.

Defendant.

Civil Action No.: 2:13-cv-00035
CHIEF JUDGE CRENSHAW
MAGISTRATE JUDGE NEWBERN

The parties respectfully move the Court to unstay this action. As cause for the motion, the parties state as follows:

1. This Court previously ordered Defendant Florence to produce requested patient files by January 18, 2019. Doc. No. 196.

2. In December 2018, the parties agreed that the United States could depose two current employees of Florence on January 18, 2019. These two depositions had already been rescheduled once before.

3. Around this same period, defense counsel asked the United States to schedule eight witnesses for depositions. The parties are working together to schedule these depositions during February 2019.

4. The United States' counsel on this matter has not been furloughed during the government shutdown, because her salary comes from a funding source that has not lapsed.

5. On January 11, 2019, this Court ordered that all civil litigation is stayed for a period of time. Doc. No. 197.

6. The parties wish to continue to proceed with fact discovery as originally planned to move this case forward.

Therefore, the parties ask the Court to lift the stay in this particular case so that the parties can proceed with fact discovery as they originally contemplated and move discovery forward.

For the United States:

DONALD Q. COCHRAN
United States Attorney
Middle District of Tennessee

BY: s/ Ellen Bowden McIntyre
ELLEN BOWDEN MCINTYRE (BPR #023133)
Assistant United States Attorney
United States Attorney's Office
110 Ninth Avenue South, Suite A-961
Nashville, TN 37203-3870
Phone: (615) 736-5151
Fax: (615) 401-6626
Ellen.Bowden2@usdoj.gov

For Relator Norris:

s/ Robert A. Peal
ROBERT A. PEAL
WILLIAM J. HARBISON II
Neal & Harwell
1201 Demonbreun Street, Suite 1000
Nashville, TN 37203
rpeal@nealharwell.com
jharbison@nealharwell.com

For Defendant Florence:

s/ Robert L. Huskey
ROBERT L. HUSKEY (BPR #3504)
JASON L. HUSKEY (BPR # 025472)
The Huskey Firm
514 Hillsboro Blvd.
Manchester, TN 37355
thehuskeyfirm@att.net

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served on January 17, 2019, by electronic means via the Court's electronic filing system, to the following:

Robert A. Peal Neal & Harwell, PLC 1201 Demonbreun Street, Suite 1000 Nashville, TN 37203	Robert L. Huskey Jason L. Huskey The Huskey Firm 514 Hillsboro Blvd. Manchester, TN 37355
Philip H. Bangle Assistant Attorney General Medicaid Fraud & Integrity Division 425 Fifth Avenue North Nashville, TN 37243	

s/ Ellen Bowden McIntyre
Assistant United States Attorney